



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Simon Foote, et al.

Examiner: A. K. Chakrabarti

Serial No.: 09/424,629

Art Unit: 1634

Filed: March 13, 2000

Docket: 13203

For: NUCLEIC ACID DIAGNOSTICS
BASED ON MASS SPECTROMETRY
OR MASS SEPARATION AND BASE
SPECIFIC CLEAVAGE

Dated: April 20, 2004

Commissioner for Patents
Alexandria, VA 22313-1450

SUPPLEMENTAL DISCLOSURE STATEMENT

Sir:

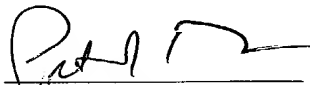
In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached PTO-1449, be made of record in the above-identified case.

1. Hahner, S., et al. (1997), "Matrix-Assisted Laser Desorption/Ionization Mass Spectrometry (MALDI) of endonuclease digests of RNA", Nucleic Acids Research, 25(10): 1957-1964;

CERTIFICATE OF MAILING UNDER C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on April 20, 2004.

Dated: April 20, 2004


Peter I. Bernstein

04/26/2004 MAHME1 00000039 09424629

01 FC:1806

180.00 OP

2. Liu, Yan-Hui, et al (1995) "Rapid Screening of Genetic Polymorphisms Using Buccal Cell DNA with Detection by Matrix-assisted Laser Desorption/Ionization Mass Spectrometry", Rapid Communications in Mass Spectrometry, 9:735-743;
3. Taranenko, N. I., et al. (1996) "Laser desorption mass spectrometry for point mutation detection", Genetic Analysis: Biomolecular Engineering, 13: 87-94;
4. Nordhoff, E., et al. (1996) "Mass Spectrometry Of Nucleic Acids", Mass Spectrometry Reviews, 15(2): 67-138;
5. Talbo, G., et al. (1996) "Aspects of the Sequencing of Carbohydrates and Oligonucleotides by Matrix-assisted Laser Desorption/Ionization Post-source Decay", Rapid Communications in Mass Spectrometry, 10(1): 100-103;
6. Kaufmann, R., et al. (1996) "Post-source Decay and Delayed Extraction in matrix-assisted Laser Desorption/Ionization-Reflectron Time-of-Flight Mass Spectrometry. Are there Trade-offs?", Rapid Communications in Mass Spectrometry, 10: 1199-1208; and
7. International Patent Application WO 97/03210, published January 30, 1997.

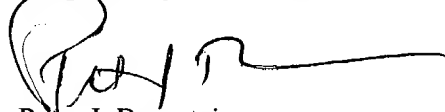
The references were cited in a Search Report dated January 28, 2004 received from the European Patent Office. Applicants are submitting copies of the above-cited references, except Liu et al, together with a copy of the Search Report. A copy of Liu et al. was submitted on October 20, 2000 in the present application, therefore a copy is not enclosed. The relevance of the above-identified references has been described in the Search Report.

Applicants respectfully request that the Examiner acknowledge receipt and review of the above and the references submitted with an Information Disclosure Statement on October 20, 2000 and August 21, 2001, respectively.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as defined under 37 C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R§1.97(d), the \$180.00 fee and a statement under §1.97(d)(1) and (e)(1) are enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter I. Bernstein', with a long horizontal flourish extending to the right.

Peter I. Bernstein
Registration No. 43,497

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, NY 11530
(516) 742-4343

PIB/XZ:ab



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Simon Foote et al.

Examiner: A. K. Chakrabarti

Serial No.: 09/424,629

Art Unit: 1634

Filed: March 13, 2000

Docket: 13203

For: NUCLEIC ACID DIAGNOSTICS
BASED ON MASS SPECTROMETRY
OR MASS SEPARATION AND BASE
SPECIFIC CLEAVAGE

Dated: April 20, 2004

Commissioner for Patents
Alexandria, VA 22313-1450

**STATEMENT PURSUANT
TO 37 C.F.R. § 1.97(d)(1) and (e)(1)**

Sir:

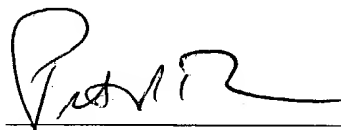
I hereby state that each item of information contained in this Information

Disclosure Statement was first cited in any communication from a foreign patent office in a
counterpart foreign application not more than three months prior to the filing of this Information
Disclosure Statement.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

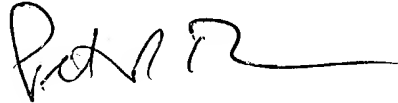
I hereby certify that this correspondence is being deposited with the United States
Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box
1450, Alexandria, VA 22313-1450 on April 20, 2004.

Dated: April 20, 2004


Peter I. Bernstein

Accordingly, it is respectfully requested that the accompanying Information Disclosure Statement be considered with respect to the above-identified application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter I. Bernstein", with a long horizontal flourish extending to the right.

Peter I. Bernstein
Registration No. 43,497

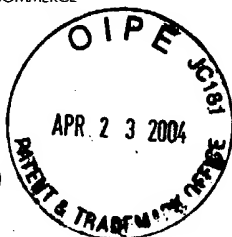
SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, NY 11530
(516) 742-4343

PIB/XZ:ab

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE
(REV. 7-80) PATENT AND TRADEMARK OFFICE

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)



Atty. Docket No.
13203

Serial No.
09/424,629

Applicant
Simon Foote, et al.

Filing Date
March 13, 2000

Group
1634

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
1.	WO 97/03210	1/30/97	PCT				

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

2.	Hahner, S., et al. (1997), "Matrix-Assisted Laser Desorption/Ionization Mass Spectrometry (MALDI) of endonuclease digests of RNA", <u>Nucleic Acids Research</u> , 25(10): 1957-1964
3.	Liu, Yan-Hui, et al (1995) "Rapid Screening of Genetic Polymorphisms Using Buccal Cell DNA with Detection by Matrix-assisted Laser Desorption/Ionization Mass Spectrometry", <u>Rapid Communications in Mass Spectrometry</u> , 9:735-743
4.	Taranenko, N. I., et al. (1996) "Laser desorption mass spectrometry for point mutation detection", <u>Genetic Analysis: Biomolecular Engineering</u> , 13: 87-94
5.	Nordhoff, E., et al. (1996) "Mass Spectrometry Of Nucleic Acids", <u>Mass Spectrometry Reviews</u> , 15(2): 67-138
6.	Talbo, G., et al. (1996) "Aspects of the Sequencing of Carbohydrates and Oligonucleotides by Matrix-assisted Laser Desorption/Ionization Post-source Decay", <u>Rapid Communications in Mass Spectrometry</u> , 10(1): 100-103
7.	Kaufmann, R., et al. (1996) "Post-source Decay and Delayed Extraction in matrix-assisted Laser Desorption/Ionization-Reflectron Time-of-Flight Mass Spectrometry. Are there Trade-offs?", <u>Rapid Communications in Mass Spectrometry</u> , 10: 1199-1208

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(d))

Docket No.
13203

In Re Application Of: Simon Foot et al.

Serial No.

09/424,629

Filing Date

March 13, 2000

Examiner

A. K. Chakrabarti

Group Art Unit

1634

Title: NUCLEIC ACID DIAGNOSTICS BASED ON MASS SPECTROMETRY OR MASS SEPARATION AND BASE SPECIFIC CLEAVAGE

Address to:

Commissioner for Patents

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

☒ A check in the amount of \$180.00 is attached.

☐ Charge Deposit Account No.

in the amount of

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on April 20, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Peter I. Bernstein

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

Signature

Peter I. Bernstein

Registration No. 43,497

Scully, Scott, Murphy & Presser

400 Garden City Plaza

Garden City, New York 11530

(516) 742-4343

Dated: April 20, 2004

cc: PIB/XZ:ab

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENTDocket No.
13203

Under 37 CFR 1.97(d)

In Re Application Of: Simon Foote et al.

APR 23 2004

Serial No.

09/424,629

Filing Date

March 13, 2000

Examiner

A. K. Chakrabarti

Group Art Unit

1634

Title: NUCLEIC ACID DIAGNOSTICS BASED ON MASS SPECTROMETRY OR MASS SEPARATION AND BASE SPECIFIC CLEAVAGE

Address to:

Commissioner for Patents

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

☒ A check in the amount of \$180.00 is attached.

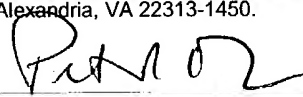
☐ Charge Deposit Account No.

in the amount of

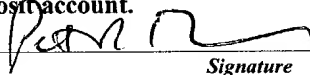
Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F	
(Date)	
Signature	
Typed or Printed Name of Person Signing Certificate	

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on April 20, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
	
Signature of Person Mailing Correspondence	
Peter I. Bernstein	
Typed or Printed Name of Person Mailing Certificate	

*This certificate may only be used if paying by deposit account.



Signature

Dated: April 20, 2004

Peter I. Bernstein

Registration No. 43,497

Scully, Scott, Murphy & Presser

400 Garden City Plaza

Garden City, New York 11530

(516) 742-4343

CC: PIB/XZ:ab